



## Frequently asked questions about

# Ergonomics and Washington state's rule

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May 26, 2000

### **Why has Washington state adopted a workplace ergonomics rule?**

This ergonomics rule will protect working people from the pain and suffering caused by work-related musculoskeletal disorders (WMSDs or "ergonomic injuries"), which strike more than 50,000 Washington workers each year. Annual workers' compensation costs alone exceed \$411 million.

Under state law, employees have the right to a safe and healthful work environment. An ergonomics rule will protect all employees who face WMSD hazards at work – not just workers whose employers voluntarily use ergonomics.

### **What is L&I going to do to help employers prepare for the rule before it is enforced?**

Under Governor Locke's direction, L&I will establish a blue-ribbon panel of independent experts to determine that the rule requirements are understandable and that the proposed enforcement policies are fair and consistent. L&I will not enforce the rule until this panel has determined that effective educational materials are widely available and demonstration projects are successful. In addition, the initial requirements will be phased in over two to five years, allowing employers time to prepare for compliance. The time also will allow employers and L&I to gain experience by working together on the voluntary demonstration projects. Employers who agree to participate in the voluntary demonstration projects will receive financial incentives such as discounts on workers' compensation premiums.

### **Will this rule harm small businesses?**

The implementation plan includes a very extensive technical assistance program and training for employers, especially small businesses. The Small Business Economic Impact Study (SBEIS) prepared for the rule filing in November 1999 estimated an annual cost of \$31 per employee for small employers compared to \$28 per employee for large employers. A number of features of the rule lessen the impact on small businesses. More time to fully comply with the rule spreads the initial costs over a longer period (up to six years, depending on the size and type of business). Also, smaller businesses could benefit from the actions of larger employers that acted first. The availability of free ergonomics guides and education materials also will minimize the costs of compliance.

### **What are work-related musculoskeletal disorders (WMSDs)?**

WMSDs are among the most common and costly occupational injuries and illnesses in our state and across the country. They include disorders such as back strain, tendinitis and carpal tunnel syndrome. The state's ergonomics rule is not designed to prevent musculoskeletal injuries from slips, trips, falls, motor vehicle accidents, or being struck by or caught in objects. Other safety and health rules address those hazards.

### **What causes WMSDs?**

WMSDs occur most often when the physical demands of work exceed worker capacity and cause preventable wear and tear on the body. Symptoms include pain, motor weakness, sensory deficits and restricted ranges of motion. For example, applying excessive force, lifting heavy loads, working in awkward postures or performing certain repetitive motions over extended periods of time can lead to injury.

### **What is ergonomics?**

Ergonomics helps employers design jobs or workplaces to match human capabilities and limitations, thereby making workplaces safer and more efficient. Ergonomics identifies factors in the workplace that may pose a risk of WMSDs. Ergonomics then looks at ways to reduce or eliminate the risks. Other positive effects of ergonomics can include improved product or service quality, enhanced morale and reduced absenteeism.

### **Is there scientific evidence that ergonomics will reduce musculoskeletal problems?**

Yes. Scientific research on the effectiveness of ergonomic solutions, known as intervention studies, have been done in a number of different industries, including manufacturing, food processing, computerized offices and health care. Equally convincing evidence comes from employers themselves. There are examples of companies in a broad range of industries that have benefited from ergonomics programs.

### **How will Washington state's rule protect employees from WMSDs?**

One or more of the specific physical risk factors for WMSDs described in the rule – risk factors relating to awkward postures, force, repetition, repeated impacts, heavy or frequent lifting and hand-arm vibration – exist in varying levels in many jobs. It's only when these risk factors reach a certain level (for example, too heavy a lift or too much repetition for too long a time) that they exceed workers' capabilities and result in injury. The ergonomics rule requires employers to look for these hazards in their workplaces and to work with their employees to reduce them below hazardous levels or to the degree feasible.

### **Should Washington state delay regulation until the National Academy of Sciences completes the second report Congress requested?**

No. The scientific evidence already establishes the link between physical factors in the workplace and musculoskeletal disorders. In fact, the first report by the National Academy of Sciences concluded that WMSDs are a serious national problem and that interventions can reduce these problems. The second NAS report, like the first, will cover existing scientific literature, not new information.

### **Should the state defer to federal rule-making by the Occupational Safety and Health Administration?**

No. Congress granted the states authority to set their own workplace safety and health rules. Washington state's ergonomics rule would need to be judged "at least as effective as" any federal OSHA ergonomics rule that is eventually adopted, but the rules would not have to be the same. This state-level rule for Washington encourages innovation and better meets the needs of Washington workplaces.

### **Why does Washington state need an ergonomics rule if the rate of injury for workers has declined?**

While the rate of all workers' compensation claims has been declining during the 1990s, the rate for WMSDs has declined more slowly and the proportion of all claims represented by WMSDs has increased. The rate of decline in WMSDs has slowed considerably in the past few years and in several important industry groups but, for some types of WMSDs, the rates have flattened completely or actually increased.

Despite some improvement, 50,000 workers a year are still suffering preventable ergonomic injuries. In a survey conducted last year in Washington state, 60 percent of employers reported that they were not yet taking steps to prevent these injuries.

### **Will ergonomics save companies money?**

Yes. Reports from the business community confirm that companies realize financial benefits from ergonomics. Most of the savings come from preventing WMSDs, which are some of the most prevalent and costly occupational injuries. Savings come from other sources as well, such as increased productivity, improved product quality and reduced labor costs, turnover and absenteeism.

### **What involvement did the public have in developing the ergonomics rule?**

Labor and Industries adopted the ergonomics rule after a 20-month rule-making process. Before drafting the proposed rule, L&I actively engaged the business and labor communities and health professionals in detailed discussions. L&I hosted community meetings in October 1998 and worked with two advisory committees from February through June 1999. In January 2000, L&I held 14 public hearings in seven cities. More than 240 people testified at the hearings and 850 submitted written comments. A number of meaningful changes resulted from the public testimony and written comments.